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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,293	11/06/2006	Abdolghaffar Kermani	36290-395(222222)	3483
23973 7590 09/16/2009 DRINKER BIDDLE & REATH ATTN: INTELLECTUAL PROPERTY GROUP ONE LOGAN SQUARE 18TH AND CHERRY STREETS PHILADELPHIA, PA 19103-6996				
EXAMINER A. PHU DIEU TRAN				
ART UNIT 3633		PAPER NUMBER		
MAIL DATE 09/16/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/568,293

**Applicant(s)**

KERMANI ET AL.

**Examiner**

PHI D. A

**Art Unit**

3633

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-17, 20-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Crump 5966894.

Crump Jr. (figure 4) shows a structural support beam for use in building and construction comprising a support frame defining at least one volume, said support frame being of a first material and said at least one volume being in-filled with a second material (26), wherein the support frame(12) comprises two spaced apart flanges connected by at least two outer support webs (24, 22), wherein each outer support web connects lateral portions of the flanges, wherein one or more additional outer support web(36) is/are positioned over one or both of the existing outer support webs, wherein one or more inner support webs(22) connect the flanges in an intermediate position between the outer support webs, wherein one or more formations are provided in each flange to accommodate the outer support webs, wherein one or more formations are provided in each flange to accommodate the inner support web, wherein the formations are one or more of grooves, recesses and cut-out portions, wherein the flanges are rectangular in shape, wherein each flange is fully interposed between the outer support webs, wherein each flange is provided with a reduced width portion to define a T-shaped flange (where the groove is), where in each reduced width portion is fully interposed between the outer support webs, wherein the lateral edges of the outer portions are adapted to be flush with

the outer surfaces of the outer support webs (it is unclear where the lateral edges are and could be where the grooves are), wherein the lateral edges of the other portions are adapted to extend beyond the outer surfaces of the outer support webs, wherein a further end-flange is connected to the outer end of each existing flange, wherein the lateral edges of each end-flange are adapted to be flush with the outer surfaces of the outer support webs, wherein the lateral edges of each end-flange are adapted to extend beyond the outermost surfaces of the outer support webs, wherein the second material is less dense than the first material, wherein the second material is a plastics foam material, wherein the second material is adapted to give the support beam improved thermal and/or sound insulating properties, wherein the second material is adapted to give the support beam improved structural properties, wherein the support frame is made from timber materials, wherein the plastics foam material; and wherein the plastics foam material is bonded to the flanges and webs, wherein the outer support webs extend over the full depth of the flanges, wherein the flanges are formed from solid or laminated timber material and the webs are formed from timber sheet material.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crump Jr. (5966894).

Crump does not show the end plates being metal.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Crump's structures to show the end plates being metal as metal would provide extra structural strength for the beam.

5. Claims 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crump Jr. (5966894).

Crump shows all the claimed structural limitations. The claimed method steps would have been the obvious method steps of manufacturing Crump's beam.

#### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art shows different beam designs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phi D A whose telephone number is 571-272-6864. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Phi D A/  
Primary Examiner, Art Unit 3633

Phi Dicu Tran A

9/14/09